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*Office Memorandum* • UNITED STATES GOVERNMENT

TO : MEMORANDUM FOR THE RECORD  
25X1A

FROM : [REDACTED]

SUBJECT: Communications Act of 1934

DATE: 28 January 1952

Reference -- Memorandum for the Record, this Office, dated  
17 December 1951

**\*OGC Has Reviewed\***

1. The Legal Advisor of the State Department ruled in an opinion dated November 10, 1941, on the question of whether foreign governments could be permitted, on the basis of reciprocal agreements, to install radio transmission equipment in their embassies in this country.

2. They felt that the statutory prohibitions against foreign governments in the Act were explicit and quoted the same language that we used in our memorandum but at greater length.

3. It was stated in conclusion that "the only basis (that foreign governments) might be allowed to operate radio stations would be that in view of diplomatic immunity which attaches to the activities of U.S. Code, Title 22, Section 252-255, no criminal proceedings could be instituted against the persons who operate the radio stations in the embassy."

4. This legal opinion was based on a statement which went out from the Department to the Embassy in Bogota, Columbia in which it was stated that in order to gain permission for the United States to install a radio station in our Embassy, a promise of reciprocity could be given.

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OGC/ML:imm

Distribution:

3 - OGC

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*No comm. action but other countries approved by  
Bilateral agreements approved by  
Senate would avertible 1934 Act.*

*12/1/51*

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*Column no  
Goveve  
and conference*